

## **REMARKS**

In response to the Office Action dated June 27, 2008, the Assignee respectfully requests reconsideration based on the above amendments and on the following remarks.

Claims 2-12, 15, and 23 are pending in this application. Claims 13-14 and 16-22 were withdrawn from consideration by restriction. Claim 1 was previously canceled.

### **Rejection of Claims 5-12, 15 & 23**

The Office rejected claims 5-12, 15, and 23 under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent 5,862,471 to Tiedemann, Jr., *et al.* in view of U.S. Patent 7,043,225 to Patel, *et al.*, in view of U.S. Patent Application Publication 2002/0087674 to Guilford, *et al.*, still further in view of U.S. Patent Application Publication 2004/0132449 to Kowarsch, and still further in view of William Greene, *Sample Selection in Credit-Scoring Models*, JAPAN AND THE WORLD ECONOMY 10, 299-316 (1998).

Claims 5-12, 15, and 23, however, cannot be obvious over *Tiedemann, Patel, Guilford, Kowarsch, and Greene*. These claims recite, or incorporate, features that are not disclosed or suggested by the proposed combination of *Tiedemann, Patel, Guilford, Kowarsch, and Greene*. Independent claim 12, for example, recites “*determining a subcontracted processing service is required from a different service provider*” and “*grouping together individual packets of data that require the subcontracted processing service as a new segment*.” Independent claim 12 also recites “*subcontracting the new segment to the different service provider to receive the subcontracted processing service*” and “*receiving a subcontracted result of the subcontracted processing service*.” Support for such features may be found at least at paragraphs [0025] through [0027] of United States Application No. 10/720,587 (Attorney Docket 030353), which is incorporated by reference. Subcontracting of processing services is also supported by paragraphs [0023] and [0024] of United States Application No. 10/720,941 (Attorney Docket 030006), which is also incorporated by reference. For the Examiner’s convenience, independent claim 12 is reproduced below, and independent claims 15 and 23 recite similar features.

[c12] A method of providing communications services, comprising:

sending a request for communications service, the request for communications service originating from a user's client device, the request for communications service communicating via a communications network to a service provider;

linearly predicting whether the user will pay on-time and in-full for the requested communications service based on a determination whether the user timely paid in-full for previous communications services;

if a determination is made that the user will pay on-time and in-full for the requested communications service, then negotiating, at the user's client device, with other service providers of other communications networks to fulfill the request for communications service;

accessing a segmentation profile containing user preferences for presenting billing charges from the other service providers of the other communications networks;

if a determination is made that the user will not pay on-time and in-full for the requested communications service, then declining to fulfill the request for the communications service;

determining a subcontracted processing service is required from a different service provider;

grouping together individual packets of data that require the subcontracted processing service as a new segment;

subcontracting the new segment to the different service provider to receive the subcontracted processing service; and

receiving a subcontracted result of the subcontracted processing service.

*Tiedemann, Patel, Guilford, Kowarsch, and Greene* do not obviate all these features. *Tiedemann* provides roaming mobile users with notice of roaming expenses. See U.S. Patent 5,862,471 to Tiedemann, Jr., *et al.* at column 2, lines 1-8. *Guilford* discloses an algorithm for a wireless device that chooses networks. See U.S. Patent Application Publication 2002/0087674 to Guilford, *et al.* at paragraph [0047]. The algorithm analyzes various parameters and directs the wireless device to switch to another service provider's network. See *id.* at paragraph [0062]. The parameters may include quality of service, cost of service, network load, coverage, and signal strength. See *id.* at paragraphs [0063] through [0068]. *Guilford* also explains that a service provider may request offers from other service providers for processing a service request.

*See id.* at paragraph [0097]. The wireless customer's service provider may accept bids from other service providers. *See id.* at paragraph [0103]. *Patel* describes a "bandwidth" broker or provider that intelligently brokers bandwidth in a cellular network. *See U.S. Patent 7,043,225 to Patel, et al.* at column 5, lines 60-67. The bandwidth providers receive requests directly from consumers and broadcast the request to network providers. *See id.* at column 6, lines 5-8. The bandwidth provider receives and evaluates the responses from the network providers. *See id.* at column 6, lines 8-10. A consumer response is generated that may include several offers from different network providers. *See id.* at column 6, lines 11-14. The consumer response may also include open terms for further negotiation by the consumer. *See id.* at column 6, lines 14-15. *Kowarsch* discloses credit checks for roaming mobile phones. *Greene* discloses a linear discriminant credit score that classifies applicants as "defaulters" or "nondefaulters."

Even so, *Tiedemann, Patel, Guilford, Kowarsch, and Greene* do not obviate independent claims 12, 15, and 23. No where, for example, do *Tiedemann, Patel, Guilford, Kowarsch, and Greene* teach, suggest, or even contemplate "*determining a subcontracted processing service is required from a different service provider*" and "*subcontracting the new segment to the different service provider to receive the subcontracted processing service*." The proposed combination of *Tiedemann, Patel, Guilford, Kowarsch, and Greene*, then, cannot obviate independent claims 12, 15, and 23.

Claims 5-12, 15, and 23, then, cannot be obvious over *Tiedemann, Patel, Guilford, Kowarsch, and Greene*. Independent claims 12, 15, and 23 recite features that are not taught or suggested by *Tiedemann, Patel, Guilford, Kowarsch, and Greene*. The dependent claims 5-11 incorporate these same features and recite additional features. One of ordinary skill in the art, then, would not think that claims 5-12, 15, and 23 are obvious. The Office is thus respectfully requested to remove the § 103 (a) rejection of these claims.

### **Rejection of Claims 2-4**

The Office rejected claims 2-4 under 35 U.S.C. § 103 (a) as being obvious over *Tiedemann* and *Patel* and further in view of U.S. Patent 6,058,301 to Daniels and still further in

view of *Greene*. Claims 2-4, however, depend from independent claim 12 and, thus incorporate the same distinguishing features. As the above paragraphs explained, *Tiedemann*, *Patel*, and *Greene* fail to disclose or suggest “*determining a subcontracted processing service is required from a different service provider*” and “*subcontracting the new segment to the different service provider to receive the subcontracted processing service.*”

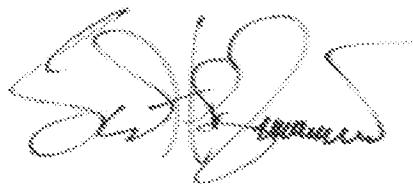
*Daniels* does not cure these deficiencies. *Daniels* describes roaming privileges that reduce fraudulent roaming charges. See U.S. Patent 6,058,301 to Daniels at column 2, lines 19-21 and at lines 65-67. *Daniels* explains that subscribers with “bad credit histories” may be prevented from roaming. *Id.* at column 4, lines 63-66. Frequent roammers with an established credit history may be allowed to roam. See *id.* at column 5, lines 1-5. Other subscribers may need to be authenticated. See *id.* at column 5, lines 10-13.

Even so, *Tiedemann*, *Patel*, *Daniels*, and *Greene* do not obviate claims 2-4. The proposed combination of *Tiedemann*, *Patel*, *Daniels*, and *Greene* fails to disclose or suggest “*determining a subcontracted processing service is required from a different service provider*” and “*subcontracting the new segment to the different service provider to receive the subcontracted processing service.*” One of ordinary skill in the art, then, would not think that claims 2-4, which depend from independent claim 12, are obvious. The Office is thus respectfully requested to remove the § 103 (a) rejection of these claims.

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If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or [scott@scottzimmerman.com](mailto:scott@scottzimmerman.com).

Respectfully submitted,



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